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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/786,349 | 02/25/2004 | Ralf Buergel | 2001P05854US02 | 4552 |
| 7590 | 05/28/2008 | | EXAMINER | |
| Elsa Keller Intellectual Property Law Dept 170 Wood Avenue South Iselin, NJ 08830 | | | MILLER, MICHAEL G | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1792 | |
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| | | | DELIVERY MODE | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Amendment

- 1) The proposed amendment, filed 16 MAY 2008, has been considered by Examiner.
- 2) The proposed amendment will not be entered because it introduces new issues that would require further search and/or consideration. By way of example, a new search would have to be performed for Claims 21-27 to account for their proposed new dependencies.
- 3) For purposes of appeal, Claims 1-12 stand as withdrawn and Claims 13-33 stand as rejected.

Response to Arguments

- 4) Applicant's arguments filed 16 MAY 2008 have been fully considered but they are not persuasive.
- 5) Applicant's first argument is that Czech does not teach microstructure restoration because Czech does not teach diffusion of alloying atoms into the alloy, in this case the corroded blade. Examiner respectfully disagrees. Examiner points to Examples 1-6 of Czech which shows in all cases that the aluminum penetrates completely through the corroded layer and into non-corroded material. This is evidence of diffusion of an alloying material into the structure of the part, and also evidence of reaching a solution temperature which is required for said diffusion. Examiner further points to Page 7 Lines 55-57 of Czech, which applies a protective coating

comprising a diffusion chromium layer to the blade after the aluminide coating is removed. This is further evidence of diffusion and of a solution temperature. Since there are clear teachings of diffusion of atoms into the alloy, there is a teaching of microstructure restoration and a teaching that a solution temperature that allows for said diffusion is reached. Therefore Czech does not constitute a teaching away from the claimed invention.

- 6) Applicant's second argument is that Czech in combination with the other applied references does not teach the claimed invention owing to the deficiencies of Czech discussed above. Examiner respectfully disagrees and reaffirms the position that Czech teaches the deficiencies in question as discussed above, and therefore the rejections which required a combination with Czech teach the claimed invention.
- 7) Applicant's third argument is that the rejection of Claims 19-24 has been overcome by amendment. Examiner notes that this argument is based on an amendment which has not been entered (see discussion above) and is therefore moot.
- 8) As all arguments are found to be non-persuasive, all rejections in the previous Office Action are maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL G. MILLER whose telephone number is (571)270-1861. The examiner can normally be reached on M-F 7-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Cleveland can be reached on (571) 272-1418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael G. Miller/
Examiner, Art Unit 1792

/Michael Cleveland/
Supervisory Patent Examiner, Art Unit 1792